

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Tauch et al.

Appl. No.: 09 | 704,725

Series Code ↑

Serial No. ↑

Filed: November 3, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

**REPLY/AMENDMENT/LETTER**

Group Art Unit 1652

Examiner: Kerr, K.

Atty. Dkt. P 274355 990111BT

M# Client Ref

Appl. Title: Plasmids from *Corynebacterium*

Glutamicum and Use Thereof

Date: April 26, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B &amp; C

See RequiredSeparate Paper

(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	8	**minus 23	0	x \$18/\$9 = + \$0	103/203
3. Independent Claims	5	***minus 5	0	x \$84/\$42 = + \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add				+ \$280/\$140 = + \$0	104/204
5. Original due Date: April 26, 2002		<input type="checkbox"/> NONE			
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) \$110/\$55 = (2 mos) \$400/\$200 = (3 mos) \$920/\$460 = (Usable only for ≤ 2mo.OA --- 4 mos) \$1,440/\$720= (Usable only for 30 day/1mo.OA --- 5 mos) \$1,960/\$980=	+ \$0		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8. Extension Fee Attached			+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....			+ \$110/\$55 + \$0 148/248		
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add			+ \$180 126		
or if Rule 97(d) Request ..... add			+ \$180 126		
11. After-Final Request Fee per rules 129(a) and 17(r) .....			+ \$740/370 + \$0 146/246		
12. No. of additional inventions for examination per Rule 129(b).....			x \$740/370 ea + \$0 149/249		
13. Request for Continued Examination (RCE) .....			+ \$740/370 + \$0 1179/1279		
14. Petition fee for .....			+ \$0		
15. TOTAL FEE ENCLOSED =			\$0		

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 21123 | 274355

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Michael A. Sanzo

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Atty/Sec: MAS/AMX

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



more patent application of:

auch, *et al.*

Appl. No.: 09/704,725

Filed: November 3, 2000

For: **Plasmids from *Corynebacterium*  
Glutamicum and Use Thereof**

Art Unit: 1652

Examiner: Kerr, K.

Atty. Dkt. 21123/274355

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5/2/02

**Second Response to Restriction Requirement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated March 26, 2002 in which the Examiner requests that Applicants elect a species for the above-captioned application. In response, Applicants hereby elect the plasmid pSELF3-1, encompassed by claim 7. As a reminder, Applicants have elected the inventions of restriction Group I. This includes claims 1-8, directed to plasmids. It is again respectfully requested that the claims in the non-elected restriction groups be cancelled without prejudice.

This election is made without traverse.

Applicants do not believe that any fee is required for the filing of the present document. Nevertheless, if one or more extensions of time are required to prevent the application from going abandoned, then such extensions of time are hereby petitioned and any fees therefor may be charged to our Deposit Account No. 03-3975, under Order No. 21123/274355.

If the Examiner believes that a phone call may help to expedite this matter, he is invited to call Applicants' undersigned attorney at (703) 905-2173.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By: Michael A. Sanzo

Michael A. Sanzo  
Attorney for Applicants  
Reg. No. 36,912

Date: April 26, 2002  
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